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Attorney for SOLGEN POWER, LLC

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CORY CUMMINS AND SAVANNAH
CUMMINS,
Plaintiff,

vs.

SOLGEN POWER LLC and VERITY
CREDIT UNION,
Defendant

Case No. 3:23-cv-05363-JLR

**DECLARATION OF DOUGLAS
MCKINLEY IN SUPPORT OF
DEFENDANT'S MOTION TO
DISMISS PURSUANT TO FED. R.
CIV. P. 12(b)(6), AND
ALTERNATIVELY, MOTION TO
COMPEL ARBITRATION**

**Note on Motion Calendar:
September 1, 2023**

Oral Argument Requested

DECLARATION OF DOUGLAS MCKINLEY IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. RULE 12(B)(6), AND ALTERNATIVELY, MOTION TO COMPEL
ARBITRATION

I, Douglas E. McKinley, Jr., do hereby declare and state as follows:

1. I am over the age of eighteen, and am otherwise competent to testify.

2. The following facts are all based on my first hand experience and knowledge.

3. I am the attorney for the Defendants Solgen Power, LLC and Verity Credit Union in this matter.

4. Within their Complaint, the Plaintiffs, Cory Cummins and Savannah Cummins, recite that on April 24, 2022 they entered into a written agreement with Defendant Solgen Power, LLC for the installation of a roof-top solar system on the Cummins' home. (ECF 1, ¶ 6). Attached herewith as Exhibit 1 is a copy of that written agreement signed by the Plaintiffs, Cory Cummins and Savannah Cummins.

5. Within their Complaint, the Plaintiffs, Cory Cummins and Savannah Cummins, recite that on April 24, 2022 they entered into a loan agreement with Verity Credit Union to finance the solar system. (ECF 1, ¶ 12). Attached herewith as Exhibit 2 is a copy of that loan

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1 agreement signed by the Plaintiffs, Cory Cummins and Savannah
2 Cummins.

3 I swear under the pains and penalties of perjury that the forgoing is true to
4 the best of my knowledge.

5 DATED this 25th day of July 2023

6 /s Douglas E. McKinley, Jr. _____

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20 DECLARATION OF DOUGLAS MCKINLEY IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. RULE 12(B)(6), AND ALTERNATIVELY, MOTION TO COMPEL
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